IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.333 OF 2004

IN

SUIT NO.3338 OF 1996

...

Nandlal Lachmandas Peswani ...Petitioner

v/s.

Mrs.Mildred Joseph D'souza

and others. ...Defendants

...

Ms.Gada i/b Harakhchand & Co. for the Petitioner.

Mr.Shah for the Defendant No.2.

Mr.Gaikwad for Defendants Nos.7, 8 & 9.

...

CORAM: D.K.DESHMUKH, J.

DATED: 3RD MARCH,2005

P.C.:

This Notice of Motion is taken out by the Plaintiff. The learned counsel for the Plaintiff states that the Defendants are served. She has filed affidavit of service. Except Defendants Nos. 2, 7, 8 & 9, other Defendants are not appearing. Nobody has filed any affidavit in reply. Therefore, in the absence of any affidavit in reply, accepting the averments made in the affidavit filed in support of the Notice of Motion at their face value, this Notice of Motion is granted in terms of prayer clause (a).

Motion disposed of.

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